



PRINCE WILLIAM COUNTY

Office of the County Executive
Christopher E. Martino

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April 30, 2020

Kristen Sadtler
Water Enforcement Manager
Virginia Department of Environmental Quality
1111 E. Main Street, Suite 1400
P.O. Box 1105
Richmond, Virginia 23218

Dear Ms. Sadtler:

As stated in your letter of April 1, 2020, Prince William County provides the following comments on the proposed Judicial Consent Decree ("Decree") for Virginia Electric Power Company ("Dominion"). This Decree includes alleged violations for activities at the Possum Point Facility located in Prince William County.

1. The method for determining the civil penalties described in Section V, Paragraph 10, of the Decree of \$1,400,000 is not clear. We request more information as to how the civil penalty amount was determined, including a calculation based upon the daily penalties imposed, to determine whether this amount is appropriate given the nature, severity, and occurrence of the alleged violations.
2. The alleged violations at the Possum Point facility are for discharges into Quantico Creek. The Creek has well documented water quality impairments and these discharges potentially impacts the Creek's water quality. The County has two water quality improvement projects in the Quantico Creek watershed, Dewey's Creek Phase 3 and Upper Dewey's Creek. Currently, both are only partially funded and would benefit from funding assistance. Dewey's Creek Phase 3 is a 1,500 linear feet stream restoration project currently under construction with a cost of \$1,500,000. Upper Dewey's Creek is a 4,000 linear feet stream restoration project under design with an estimated cost of \$500,000. Both projects will reduce nitrogen, phosphorus, and sediment loadings in the Potomac River and ultimately the Chesapeake Bay. As both projects directly relate to the water quality of Quantico Creek, the County requests that VDEQ, through this settlement and Decree, provide total funding in the amount of \$750,000 towards these important projects which can help mitigate the potential impacts of the discharges.
3. As stated in Section VII of the Decree, an EMS Audit and Program ("Program") is required. Under the Decree, as part of this Program, Dominion should be required to perform the following:
 - All 3rd party EMS audits be made public through Dominion's and VDEQ's website promptly after the audits are filed with VDEQ.

- The Objectives/Targets component of the Program include at least one objective related to minimizing environmental impacts of operations to surrounding properties and community including the aspects of air, water, and noise pollution, as well as traffic levels.
- The outreach component of the Program should require an annual public meeting at a convenient date, time, and public location to provide information to County residents on the Program progress and overall status and plans for construction and mitigation projects, including, but not limited to, those related to coal ash storage and disposal. This annual meeting should be required at least through calendar year 2030.

We appreciate the opportunity to comment on this Decree and look forward to your response. If there are any questions or need additional information, please feel free to contact Tom Smith, who can be reached at (703) 792-6252 or tsmith@pwcgov.org

Regards,

A handwritten signature in black ink, appearing to read "Christopher E. Martino". The signature is fluid and cursive, with the first name "Christopher" and last name "Martino" clearly distinguishable.

Christopher E. Martino
County Executive

Attachment

C: Board of County Supervisors
County Attorney
Acting Director of Public Works